

GOVERNMENT

SIKKIM



GAZETTE

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**GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK**

No. 10/LD/P/2010

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NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on the 29th day of June, 2010 is hereby published for general information:-

THE REGISTRATION OF COMPANIES (AMENDMENT) ACT, 2010

ACT NO. 10 OF 2010

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ACT

Further to amend the Registration of Companies Act Sikkim, 1961.

Be it enacted by the Legislature of Sikkim in the Sixty-first year of the Republic of India as follows:-

Short title and 1. Commencement. (1) This Act may be called the Registration of Companies (Amendment) Act Sikkim, 2010.

- (2) It shall be deemed to have come into force w.e.f 17.2.1989.
- (3) It shall extend throughout the whole of Sikkim.

Insertion of 2. section 18. In the Registration of Companies Act Sikkim, 1961 after section 17 the following new section shall be inserted, namely :-

“18 (i) Any company intending to wind up shall make an application to the Registrar of Companies for winding up and the Registrar shall after obtaining police verification report, documents pertaining to clearance of financial institutions viz Bank etc and making publication in any news paper regarding such wind up inviting claim objection, etc, if

any, within a period of not less than fifteen days from the date of publication in the news paper, allow the application for wind up if no objection, claim etc, are received within such period.

- (ii) On completion of the above stated procedure, the Registrar of the companies shall be competent to issue order or certificate as may be the case of winding up and the approval of the State Government shall always be deemed to exist and shall always be deemed to have been obtained.
- (iii) All action taken by the Registrar shall be deemed to have been made under this Act.

R.K. PURKAYASTHA (SSJS)
LR-cum-Secretary
Law & Parliamentary Affairs Department